

The Corporation of the City of North Bay

By-Law No. 2022-49

A By-Law To Amend Zoning By-Law No. 2015-30 To Rezone Certain lands on Algonquin Avenue from a “Residential Third Density (R3)” Zone to a “Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)” Zone and Certain Lands on First Avenue West to Amend the Existing “Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)” Zone

First Ave. (No.6) Inc. – 485 First Avenue West and 486 Algonquin Avenue

Whereas the owner of the subject property has initiated an amendment to the Zoning By-law;

And Whereas the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and held at least one public meeting after due notice for the purpose of informing the public of this By-law;

And Whereas it is deemed desirable to amend the zone designation shown on Schedules “B-51” and “B-43” of Zoning By-law 2015-30 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

And Whereas Council passed Community Services Committee Report No. 2022-09 adopted by Council on June 13, 2022 by Resolution No. 2022-198 to approve this rezoning;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

- 1) Schedules “B-51” and “B-43” of By-law No. 2015-30 is amended by changing the zoning designation of the property shown on Schedule “A” attached hereto (which property is more particularly described as PIN 49164-0025 (LT) LT 666-667 PL 21 WIDDIFIELD; PT LT 664-665 PL 21 WIDDIFIELD AS IN NB146649; S/T EXECUTION 03-0396, IF ENFORCEABLE; NORTH BAY ; DISTRICT OF NIPISSING and PIN 49164-0006 (LT) PT LT 662 PL 21 WIDDIFIELD AS IN NB101847, S/T & T/W NB101847; NORTH BAY; DISTRICT OF NIPISSING), shown as hatched on Schedule A attached hereto from a “Residential Third Density (R3)” zone and a “Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)” zone to an amended “Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)” zone.
- 2) All buildings or structures erected or altered and the use of land in such “Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)” zone shall

conform to all applicable provisions of By-law No. 2015-30 of The Corporation of the City of North Bay.

- 3) Section 11.1.33 of By-law No. 2015-30 is amended by deleting the existing section and replacing it with the following:

"11.1.33 "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)"
Zone

11.1.33.1 The property description of this "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" zone is PIN 49164-0025 (LT) LT 666-667 PL 21 WIDDIFIELD; PT LT 664-665 PL 21 WIDDIFIELD AS IN NB146649; S/T EXECUTION 03-0396, IF ENFORCEABLE; NORTH BAY ; DISTRICT OF NIPISSING and PIN 49164-0006 (LT) PT LT 662 PL 21 WIDDIFIELD AS IN NB101847, S/T & T/W NB101847; NORTH BAY; DISTRICT OF NIPISSING as shown on the attached Schedule and on Schedules "B-51" and "B-43".

11.1.33.2 (a) No person shall use land, or use, erect, or construct any building or structure in this "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" Zone except for the following uses:

- A fifty (50)-Unit Apartment Building

11.1.33.2 (b) The regulations for this "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" Zone are as follows:

- i) The maximum lot coverage not to exceed 62% of the total lot area.
- ii) The minimum lot frontage shall be 32.3m.
- iii) The minimum front yard setback shall be nil.
- iv) The minimum easterly side yard setback shall be nil.
- v) The minimum westerly side yard setback shall be 0.4m
- vi) The minimum rear yard setback shall be 16.6m
- vii) Parking at a rate of 1 parking space per unit for a total of 50 parking spaces.
- viii) Useable open space shall be nil.
- ix) Landscaping buffer shall be nil.

11.1.33.3 The use of land or building in this "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" Zone shall conform to all other regulations of this By-law, except as hereby expressly varied."

- 4) Section 11 of By-law No. 2015-30 is further amended by inserting "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)" Zone as shown on

Schedule "B" to this By-law.

- 5) Notice of the passing of this By-law shall be given by the Clerk of The Corporation of the City of North Bay in the manner and form and to the persons prescribed by Section 6 of O. Reg. 545/06 as amended.
- 6) Any notice of appeal of this By-law shall be filed in accordance with the provisions of Section 34(19) of the *Planning Act*, not later than 20 days after the day that the giving of the notice by the Clerk is completed, setting out how the by-law is inconsistent with the policy statement issued under subsection 3(1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan and shall be accompanied by the fee prescribed under the *Ontario Land Tribunal Act, 2021*, S.O. 2021, c. 4, Sched. 6.
- 7) Where no notice of appeal is filed with the Clerk within twenty (20) days as required by Section 6 of this By-law, then this By-law shall be deemed to have come into force on the day it was passed.
- 8) Where one or more notices of appeal are filed with the Clerk within twenty (20) days in compliance with Section 6 of this By-law, then this By-law shall not come into force until all appeals have been finally disposed of in accordance with Section 34 of the *Planning Act*, whereupon the By-law shall be deemed to have come into force on the day it was passed.

Read a First Time in Open Council the 13th Day of June 2022.

Read a Second Time in Open Council the 13th Day of June 2022.

Read a Third Time in Open Council and Passed this 13th Day of June 2022.

Deputy Mayor Tanya Vrebosch

City Clerk Karen Mclsaac

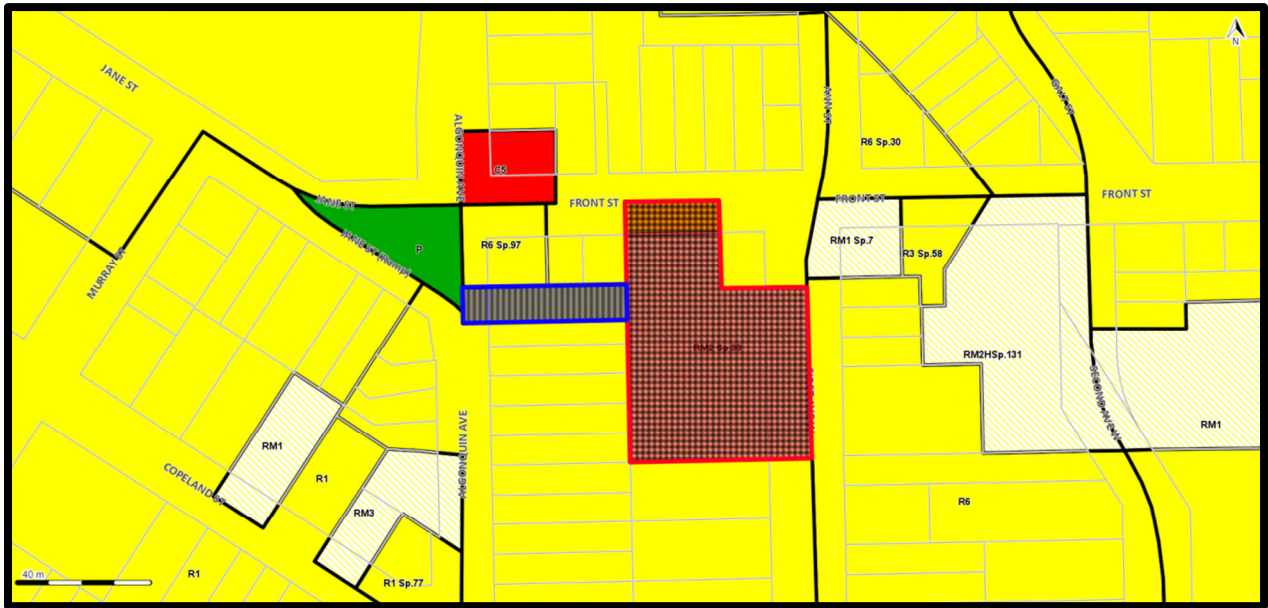
Schedule A

This is Schedule "A"
To By-law No. 2022-49

Passed the 13th Day of June 2022

Deputy Mayor Tanya Vrebosch

City Clerk Karen McIsaac



Legend



- From "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)"
to an Amended "Residential Multiple Second Density Special No. 33 (RM2 Sp. 33)"



- From a "Residential Third Density (R3)" Zone to a "Residential Multiple
Second Density Special No. 33 (RM2 Sp. 33)" Zone

Schedule B

This is Schedule "B"
To By-law No. 2022-49

Passed the 13th Day of June 2022

Deputy Mayor Tanya Vrebosch

City Clerk Karen McIsaac

